

HOUSE BILL No. 4582

April 17, 2001, Introduced by Rep. Scranton and referred to the Committee on Appropriations.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1212 (MCL 380.1212), as amended by 1993
PA 312.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1212. (1) If approved by the school electors of the
2 school district, the board of a school district may levy a tax of
3 not to exceed 5 mills on the state equalized valuation of the
4 school district each year for a period of not to exceed 20 years,
5 for the purpose of creating a sinking fund to be used for the
6 purchase of real estate for sites for, and the construction or
7 repair of, school buildings. IN ADDITION, THE SINKING FUND MAY
8 BE USED TO PAY FOR OR TO PARTICIPATE IN PAYING FOR INFRASTRUCTURE
9 IMPROVEMENTS ON PUBLIC PROPERTY OR A PUBLIC EASEMENT THAT
10 DIRECTLY IMPACTS THE USE OF SCHOOL DISTRICT PROPERTY, INCLUDING,

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1 BUT NOT LIMITED TO, PARTICIPATION IN A PUBLIC ROAD, SEWER, OR
2 WATER PROJECT.

3 (2) The sinking fund tax levy is subject to the 15 mill tax
4 limitation provisions of section 6 of article IX of the state
5 constitution of 1963 and the property tax limitation act, ~~Act~~
6 ~~No. 62 of the Public Acts of 1933, as amended, being sections~~
7 ~~211.201 to 211.217a of the Michigan Compiled Laws~~ 1933 PA 62,
8 MCL 211.201 TO 211.217A.

9 (3) A school district that levies a sinking fund tax under
10 this section shall have an independent audit of its sinking fund
11 conducted annually, including a review of the uses of the sinking
12 fund, and shall submit the audit report to the department of
13 treasury. If the department of treasury determines from the
14 audit report that the sinking fund has been used for a purpose
15 other than those authorized for the sinking fund under this sec-
16 tion, the school district shall repay the misused funds to the
17 sinking fund from the school district's operating funds and shall
18 not levy a sinking fund tax under this section after the date the
19 department of treasury makes that determination.

20 (4) ~~-(2)-~~ The proposition of levying a sinking fund tax
21 shall be submitted to the school electors of the school district
22 at an annual or special ~~meeting or~~ election.

23 (5) ~~-(3)-~~ The question of levying taxes for the purpose of
24 creating a sinking fund shall be by ballot in substantially the
25 following form:

26 "Shall _____ levy _____ mills
27 (legal name of school district)

1 to create a sinking fund for the purpose of _____

2 _____

3 for a period of _____ years?

4 Yes ()

5 No ()".

6 (6) ~~-(4)-~~ For the purposes of this section, millage approved
7 by the school electors before December 1, 1993 for which the
8 authorization has not expired is considered to be approved by the
9 school electors.